

REMARKS

Claim 1 has been amended to incorporate the recitations of claim 2, and claim 2 has been canceled accordingly. Claim 6 has been amended in view of the cancellation of claim 2 and also based on the disclosure in, e.g., the second full paragraph on page 10 in the present application.

Entry of the above amendment is respectfully requested.

Rejection over Harmer

Claims 1, 3 and 4 are rejected under 35 U.S.C. § 102(b) as being anticipated by Harmer et al (U.S. 5,512,368).

In response, Applicants submit initially that the present invention is directed to a composite fiber including a wholly aromatic polyamides and multiwall carbon nanotubes, and is characterized in that the carbon nanotubes are oriented in the fiber axis direction. Further, Applicants submit that the present invention provides more advanced mechanical characteristics, compared with wholly aromatic polyamides themselves.

Applicants note that Harmer discloses inorganic whiskers (see column 2, line 45~), especially inorganic whiskers made of SiC.

However, Applicants submit that Harmer is silent about the dispersion or orientation state of whiskers in the composite fiber. Harmer is silent about multi-wall carbon nanotubes, and their dispersion and/or their orientation at composite fiber.

Thus, Applicants submit that the present invention is different from Harmer, and withdrawal of this rejection is respectfully requested.

Rejection over Harmer in view of Ebbesen

Claims 2 and 6 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Harmer et al (U.S. Patent No. 5,512,368), in view of Ebbesen et al (“Large Scale Synthesis of Carbon Nanotubes”, Nature, Vol. 358, page 220 (1992)).

In response, Applicants refer the Examiner initially to the discussion set forth above with respect to Harmer.

Further, Applicants submit that Ebbesen merely discloses the synthesis of multi-wall carbon nanotubes.

Thus, Applicants submit that the present invention is not obvious over the cited art combination, and withdrawal of this rejection is respectfully requested.

Rejection over Harmer in view of Ebbesen and further in view of Veedu

Claims 2 and 6 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Harmer et al (U.S. Patent No. 5,512,368), in view of Ebbesen et al, and further in view of by Veedu et al (US 2004/0180201).

In response, Applicants refer the Examiner initially to the discussion set forth above with respect to Harmer and Ebbesen.

Further, with respect to Veedu et al, Applicants submit herewith a verified English translation of the present priority application supporting the elements of the rejected claims (see claims 1 and 2 and paragraph [0026] in the verified translation) to antedate the June 30, 2003 U.S. filing date of the reference (for the purpose being relied upon by the Examiner, Veedu is not entitled to its July 1, 2002 provisional application filing date, since the disclosure being relied upon by the Examiner is not present in Veedu's provisional application).

Thus, Applicants submit that the present invention is not obvious over the cited art combination, and withdrawal of this rejection is respectfully requested.

Rejection over Harmer in view of Tamura

Claim 5 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Harmer et al, in view of Tamura et al (U.S. Patent No. 4,539,393).

In response, Applicants refer the Examiner initially to the discussion set forth above with respect to Harmer.

Further, Applicants submit that Tamura merely disclose wholly aromatic polyamides.

Thus, Applicants submit that the present invention is not obvious over the cited art combination, and withdrawal of this rejection is respectfully requested.

Rejection over Margrave

Claim 7 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Harmer et al, in view of Margrave et al (US 2002/0110513A1).

In response, Applicants submit that Margrave merely discloses single wall carbon nanotubes.

Thus, Applicants submit that the present invention is not taught or suggested by Margrave, and withdrawal of this rejection is respectfully requested.

Rejection over Harmer in view of Smalley

Claims 8-10 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Harmer et al, in view of Smalley et al (WO 98/39250).

In response, Applicants refer the Examiner initially to the discussion set forth above with respect to Harmer.

Further, Applicants submit that Smalley merely discloses single wall carbon nanotubes, so the present invention is different from Smalley as well.

Thus, Applicants submit that the present invention is not obvious over the cited art combination, and withdrawal of this rejection is respectfully requested.

Rejection over Harmer in view of Niu

Claim 11 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Harmer et al, in view of Niu et al (U.S. 2003/0089893A1).

In response, Applicants refer the Examiner initially to the discussion set forth above with respect to Harmer.

Further, Applicants submit that Niu merely discloses the functionalizing of the carbon nanotubes.

Thus, Applicants submit that the present invention is not obvious over the cited art combination, and withdrawal of this rejection is respectfully requested.

Provisional Obviousness-Type Double Patenting Rejection

Claims 1-6 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-4 and 17-21 of copending Application No. 10/542,641.

In response, Applicants note initially that the present application was filed in the U.S. prior to the copending application. Further, as set forth in MPEP 804I.B.1., if a "provisional"

nonstatutory obviousness-type double patenting (ODP) rejection is the only rejection remaining in the earlier filed of the two pending applications, while the later-filed application is rejectable on other grounds, the examiner should withdraw that rejection and permit the earlier-filed application to issue as a patent without a terminal disclaimer. Since Applicants submit that all of the art rejections are overcome for the reasons discussed above, this provisional obviousness-type double patenting rejection should be withdrawn because it would be the only rejection remaining in the present application. Also, Applicants note that a terminal disclaimer has already been filed in U.S. Patent Application No. 10/542,641 over the present application.

Thus, withdrawal of this provisional obviousness-type double patenting rejection is respectfully requested.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111
Application No.: 10/537,781

Attorney Docket No.: Q88199

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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